

REMARKS

This is in full and timely response to the Office Action mailed on July 30, 2004. Reexamination in light of the amendments and the following remarks is respectfully requested.

Claims 6, 10, 13 and 19-28 are currently pending in this application, with claims 6, 10 and 13 being independent.

No new matter has been added.

Claim objections

While not conceding the propriety of this objection and in order to advance the prosecution of the above-identified application, the claims have been amended in the manner suggested within the Office Action.

Withdrawal of this objection is respectfully requested.

Specification objections

The Office Action contends that *a space between the thin rib and the first groove wall being larger than a space between the thin rib and the second groove wall* is not found within the specification as originally filed.

In response to this contention, figures 1, 2 and 3 of the specification as originally filed clearly depict a space 7b between the thin rib 9 and the first groove wall W_1 being larger than a space between the thin rib 9 and the second groove wall W_2 . While not conceding the propriety of this objection and in order to advance the prosecution of the above-identified application, the specification has been amended in the manner suggested within the Office Action.

Withdrawal of this objection is respectfully requested.

Rejection under 35 U.S.C. §112, first paragraph

Claims 4 and 6-18 were rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the written description requirement.

This rejection is traversed at least for the following reasons.

An adequate written description requirement ensures that the inventor had possession of the claimed subject matter at the time the application was filed. *In re Alton*, 37 USPQ2d 1578, 1584 (Fed. Cir. 1996).

“The purpose of the ‘written description’ requirement is broader than to merely explain how to ‘make and use’; the applicant must also convey with reasonable clarity to those skilled in the art that, as of the filing date sought, he or she was in possession of the invention.” *Vas-Cath Inc. v. Mahurkar*, 19 USPQ2d 1111, 1117 (Fed. Cir. 1991). See also M.P.E.P §2163.02.

“How the specification accomplishes this is not material. It is not necessary that the application describe the claim limitations exactly, but only so clearly that persons of ordinary skill in the art will recognize from the disclosure that the [Applicant] invented [the claimed invention] (emphasis added). *In re Wertheim*, 262, 191 USPQ 90, 96 (CCPA 1976). “The applicant does not have to utilize any particular form of disclosure to describe the subject matter claimed.” *In re Alton*, 37 USPQ2d 1578, 1581 (Fed. Cir. 1996).

Claim 4

The Office Action contends that the description of “generally uniform width” found within claim 4 has no explicit basis in the original disclosure and it is not seen how the illustrated narrow groove portion having parallel walls supports the subject matter of “general uniform width”.

In response to this contention, figures 1,2 and 3 of the specification as originally filed clearly depicts the narrow groove portion between thin rib 9 and groove wall W_2 near the shoulder having a generally uniform width of 4 mm or smaller.

Nevertheless, while not conceding the propriety of this rejection and in order to advance the prosecution of the above-identified application, claim 4 has been canceled without prejudice or disclaimer of its underlying subject matter.

Withdrawal of this rejection is respectfully requested.

Claim 6

The Office Action contends that the description of “at least one interior main groove of said plurality of main grooves is located at the center of said tread portion and extends from said tread surface,” found within claim 6 has no explicit basis in the original disclosure.

In response to this contention, “a patentee can be his own lexicographer provided the patentee's definition, to the extent it differs from the conventional definition, is clearly set forth in the specification.” *Beachcombers v. Wildewood Creative Prods., Inc.*, 31 USPQ2d 1653, 1656 (Fed. Cir. 1994). Figures 1, 2, and 3 clearly depict at least one interior main groove 7a of the plurality of main grooves 7a, 7b being located at the center of the tread portion 1 and extends from the tread surface.

The Office Action contends that the new matter is the omission of the thin rib being near the shoulder.

In response, within independent claim 6, as shown at least within figures 1 and 2, at least one exterior main groove 7b of plurality of main grooves 7a, 7b is between at least one interior main groove 7a and the shoulder. Also within claim 6, as shown at least within figures 1 and 3, at least one exterior main groove 7b has a first groove wall W_1 , a second groove wall W_2 , and a thin rib 9. Also see at least the paragraph beginning at page 5, line 20 of the specification as originally filed, for example.

Withdrawal of this rejection is respectfully requested.

Rejection under 35 U.S.C. §112, second paragraph

Claims 4-18 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite.

This rejection is traversed at least for the following reasons.

Claim 4

The Office Action contends that the description of “generally uniform width” found within claim 4 lacks clarity.

In response to this contention, figures 1,2 and 3 of the specification as originally filed clearly depicts the narrow groove portion between thin rib 9 and groove wall W_2 near the shoulder having a generally uniform width of 4 mm or smaller.

Nevertheless, while not conceding the propriety of this rejection and in order to advance the prosecution of the above-identified application, claim 4 has been canceled without prejudice or disclaimer of its underlying subject matter.

Withdrawal of this rejection is respectfully requested.

Claim 6

The Office Action contends that it is unclear what subject matter is required by the sidewall portion contacting the tread portion.

In response to this contention, claim 6 includes a side wall portion of the pneumatic tire contacting a shoulder of said tread portion, said shoulder being outward in a tire width direction. Figure 1 clearly depicts a side wall portion 2 of the pneumatic tire contacting a shoulder of tread portion 1, wherein the shoulder is outward in a tire width direction.

Withdrawal of this rejection is respectfully requested.

Claim 11

The Office Action contends that it is unclear whether or not only one bead portion is being claimed.

In response to this contention, claim 1 includes a bead portion, a carcass layer, and bead cores. Figure 1 clearly depicts a bead portion 3, a carcass layer 4, and bead cores 5.

Nevertheless, while not conceding the propriety of this rejection and in order to advance the prosecution of the above-identified application, claim 11 has been canceled without prejudice or disclaimer of its underlying subject matter.

Withdrawal of this rejection is respectfully requested.

Claims 16, 17 and 18

The Office Action contends that it is unclear what additional limitation is provided by claims 16, 17 and 18.

In response to this contention, within claim 16, the first groove wall inclines with an angle of less than 90 degrees with respect to the tread surface; within claim 17, the second groove wall inclines with an angle of greater than 90 degrees with respect to the tread surface; and within claim 18, the second groove wall inclines toward the shoulder.

Nevertheless, while not conceding the propriety of this rejection and in order to advance the prosecution of the above-identified application, claims 16-18 have been canceled without prejudice or disclaimer of their underlying subject matter.

Withdrawal of this rejection is respectfully requested.

Claim objections under 37 C.F.R. §1.75

The Office Action contends that claims 16, 17 and 18 are in improper dependent form.

In response to this contention, within claim 16, the first groove wall inclines with an angle of less than 90 degrees with respect to the tread surface; within claim 17, the second groove wall inclines with an angle of greater than 90 degrees with respect to the tread surface; and within claim 18, the second groove wall inclines toward the shoulder.

Nevertheless, while not conceding the propriety of this rejection and in order to advance the prosecution of the above-identified application, claims 16-18 have been canceled without prejudice or disclaimer of their underlying subject matter.

Withdrawal of this objection is respectfully requested.

Rejection under 35 U.S.C. §102 and §103

Initially

While not conceding the propriety of this rejection and in order to advance the prosecution of the above-identified application, claims 1, 3-5, 7-9, 11-12 and 14-18 have been canceled without prejudice or disclaimer of their underlying subject matter, rendering the rejection moot as to these claims.

Anticipation, generally

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Obviousness, generally

“The Patent and Trademark Office (PTO) has the burden of showing a prima facie case of obviousness.” *In re Bell*, 26 USPQ2d 1529, 1530 (Fed. Cir. 1993). “In determining the propriety of the Patent Office case for prima facie obviousness, it is necessary to ascertain whether the prior art teachings would appear to be sufficient to one of ordinary skill in the art to suggest making the proposed substitution or other modification.” *In re Taborsky*, 183 USPQ 50, 55 (CCPA 1974). Moreover, *prima facie* obviousness of a claimed invention is established “only by showing some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references.” *In re Fine*, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988).

Claim 6 and the claims dependent thereon include the features of:

a tread portion having a plurality of main grooves therein, said plurality of main grooves extending in a tire circumferential direction along a tread surface; and

a side wall portion of the pneumatic tire contacting a shoulder of said tread portion, said shoulder being outward in a tire width direction, wherein:

at least one interior main groove of said plurality of main grooves is located at the center of said tread portion and extends from said tread surface,

an exterior main groove of said plurality of main grooves is between at least one interior main groove and said shoulder, none of said plurality of main grooves being between said exterior main groove and said shoulder,

said exterior main groove has a first groove wall, a second groove wall, and a thin rib,

said first and second groove walls extend from said tread surface to the bottom of said exterior main groove, and incline outward in said tire width direction from said tread surface to the bottom of said exterior main groove,

said thin rib protrudes from said bottom of said exterior main groove, a space between said thin rib and said first groove wall being larger than a space between said thin rib and said second groove wall, and

at said tread surface, said first groove wall is parallel in said tire circumferential direction with said second groove wall.

Claim 10 and the claims dependent thereon include the features of:

a tread portion having a plurality of main grooves therein, said plurality of main grooves extending in a tire circumferential direction along a tread surface; and

a side wall portion of the pneumatic tire contacting a shoulder of said tread portion, said shoulder being outward in a tire width direction, wherein:

at least one interior main groove of said plurality of main grooves is located at the center of said tread portion and extends from said tread surface,

at least one exterior main groove of said plurality of main grooves is between at least one interior main groove and said shoulder,

said at least one exterior main groove has a first groove wall, a second groove wall, and a thin rib,

said first and second groove walls extend from said tread surface to the bottom of said at least one exterior main groove, and incline outward in said tire width direction from said tread surface toward the bottom of said at least one exterior main groove,

said thin rib protrudes from said bottom of said at least one exterior main groove, a space between said thin rib and said first groove wall being larger than a space between said thin rib and said second groove wall, and

each of said plurality of main grooves are straight grooves.

Claim 13 and the claims dependent thereon include the features of:

a tread portion having a plurality of main grooves therein, said plurality of main grooves extending in a tire circumferential direction along a tread surface; and

a side wall portion of the pneumatic tire contacting a shoulder of said tread portion, said shoulder being outward in a tire width direction, wherein:

at least one interior main groove of said plurality of main grooves is located at the center of said tread portion and extends from said tread surface,

at least one exterior main groove of said plurality of main grooves is between at least one interior main groove and said shoulder,

said at least one exterior main groove has a first groove wall, a second groove wall, and a thin rib,

said first and second groove walls extend from said tread surface to the bottom of said at least one exterior main groove, and incline outward in said tire width direction from said tread surface toward the bottom of said at least one exterior main groove,

said thin rib protrudes from said bottom of said at least one exterior main groove, a space between said thin rib and said first groove wall being larger than a space between said thin rib and said second groove wall, and

a height of said thin rib is made lower than said tread surface.

New non-final Office Action

Claims 10 and 13 have been placed into independent form. Accordingly, if the allowance of claims 10 and 13 is not forthcoming at the very least and a new grounds of rejection made, then a new non-final Office Action is respectfully requested at least for the following reasons.

Claims 6-8, 11-12 and 14-18 were rejected under 35 U.S.C. §102 as allegedly being anticipated by U.S. Patent No. 4,836,257 to Mamada et al. (Mamada).

This rejection is traversed at least for the following reasons.

Claims 6

Mamada arguably teaches a pneumatic radial tire tread for reducing wandering having grooves 10 and 20 (figure 2). The Office Action contends that grooves 10 and 20, along with the space therebetween teach the claimed invention.

However, Mamada fails to disclose, teach or suggest that at the tread surface, the first groove wall is parallel in the tire circumferential direction with the second groove wall.

Instead, figure 1 of Mamada depicts a plurality of main wide zigzag grooves 10 along with an auxiliary narrow straight groove 20 (figure 1, column 4, lines 1-3).

Thus, Mamada fails to disclose, teach or suggest a pneumatic tire wherein, at the tread surface, the first groove wall is parallel in the tire circumferential direction with the second groove wall.

Withdrawal of this rejection and allowance of the claims is respectfully requested.

Claims 7-8, 11-12 and 14-18

While not conceding the propriety of this rejection and in order to advance the prosecution of the above-identified application, claims 7-8, 11-12 and 14-18 have been canceled without prejudice or disclaimer of their underlying subject matter rendering the rejection moot as to these claims.

Claim 10 is rejected under 35 U.S.C. §103 as allegedly being obvious over Mamada in view of U.S. Patent No. 5,445,201 to Kukimoto et al. (Kukimoto).

This rejection is traversed at least for the following reasons.

Mamada arguably teaches a pneumatic radial tire tread for reducing wandering having grooves 10 and 20 (figure 2). The Office Action contends that grooves 10 and 20, along with the space therebetween teach the claimed invention.

However, Mamada fails to disclose, teach or suggest each of the plurality of main grooves being straight grooves. Instead, figure 1 of Mamada depicts a plurality of main wide zigzag grooves 10 (figure 1, column 4, line 1). The Office Action cites Kukimoto for the features deficient within Mamada.

Figures 19a, 19b, 20a and 20b of Kukimoto arguably show a one side depressed type of stepped zone wherein the stepped zone 3 is disposed in a main groove I and separated from

adjacent lands by a narrow cut 4' and a narrow groove 10, respectively, with the narrow grooves 10 located on one side thereof (column 8, lines 3-8).

Nevertheless, figures 19a, 19b, 20a and 20b fail to show the first and second groove walls extending from the tread surface to the bottom of the exterior main groove, and inclined outward in the tire width direction from the tread surface toward the bottom of the exterior main groove. In this regard, Kukimoto fails to clearly show the groove walls being inclined in the same direction as those of the claimed invention.

In addition, Mamada and Kukimoto, either individually or in combination, fail to disclose, teach or suggest why the skilled artisan would have been motivated to combine grooves 10 and 20 of Mamada with a narrow cut 4' and a narrow groove 10 of Kukimoto, especially in light of the incline for narrow cut 4' and narrow groove 10 of Kukimoto in comparison with the incline for grooves 10 and 20 of Mamada. In particular, figure 1 of Mamada depicts a plurality of main wide zigzag grooves 10 along with an auxiliary narrow straight groove 20 (figure 1, column 4, lines 1-3), whereas Kukimoto depicts both the wide grooves and the narrow grooves being either zigzag or narrow and not the wide groove being zigzag while the narrow groove being straight as in Mamada. The Office Action fails to account for this discrepancy.

As a rule, "assertions of technical facts in areas of esoteric technology must always be supported by citation to some reference work recognized as standard in the pertinent art and the appellant given, in the Patent Office, the opportunity to challenge the correctness of the assertion or the notoriety or repute of the cited reference." (Citations omitted). *In re Pardo and Landau*, 214 USPQ 673, 677 (CCPA 1982). The support must have existed at the time the claimed invention was made. *In re Merck & Co., Inc.*, 231 USPQ 375, 379 (Fed. Cir. 1986).

In addition, "it is impermissible, however, simply to engage in a hindsight reconstruction of the claimed invention, using the applicant's structure as a template and selecting elements from references to fill the gaps. The references themselves must provide some teaching whereby the applicant's combination would have been obvious" (citations omitted). *In re Gorman*, 18 USPQ2d 1885, 1888 (Fed. Cir. 1991). See also *In re Dembiczak*, 50 USPQ2d 1614, 1616 (Fed. Cir. 1999)(rejection based upon hindsight is reversed).

This assertion amounts to nothing more than an "obvious-to-try" situation. Specifically, "an 'obvious-to-try' situation exists when a general disclosure may pique the scientist's curiosity, such that further investigation might be done as a result of the disclosure, but the disclosure itself does not contain a sufficient teaching of how to obtain the desired result, or that the claimed result would be obtained if certain directions were pursued." *In re Eli Lilly & Co.*, 14 USPQ2d 1741, 1743 (Fed. Cir. 1990). Moreover, "an invention is 'obvious to try' where the prior art gives either no indication of which parameters are critical or no direction as to which of many possible choices is likely to be successful." *Merck & Co. Inc. v. Biocraft Laboratories Inc.*, 10 USPQ2d 1843, 1845 (Fed. Cir. 1989).

Here, the cited prior art does not contain a sufficient teaching of how to obtain the desired result, or that the claimed result would be obtained if certain directions were pursued. "Obvious to try" is not the standard under §103. *In re O'Farrell*, 7 USPQ2d 1673, 1680 (Fed. Cir. 1988).

Withdrawal of this rejection and allowance of the claims is respectfully requested.

Claims 1, 3-4 and 9 are rejected under 35 U.S.C. §103 as allegedly being obvious over Mamada in view of the admitted prior art (specification page 1, lines 9-25, page 2 lines 1-4 and page 9 lines 2-6).

This rejection is traversed at least for the following reasons.

While not conceding the propriety of this rejection and in order to advance the prosecution of the above-identified application, claims 1, 3-4 and 9 have been canceled without prejudice or disclaimer of their underlying subject matter rendering the rejection moot as to these claims.

Claim 5 is rejected under 35 U.S.C. §103 as allegedly being obvious over Mamada in view of the admitted prior art and in further view of Japanese Publication No. 07-117413 (Japan '413).

This rejection is traversed at least for the following reasons.

While not conceding the propriety of this rejection and in order to advance the prosecution of the above-identified application, claim 5 has been canceled without prejudice or disclaimer of their underlying subject matter rendering the rejection moot as to this claim.

Claims 6-8, 11-12 and 14-18 are rejected under 35 U.S.C. §102 as allegedly being anticipated by, or, in the alternative, under 35 U.S.C. §103 as allegedly being obvious over Japan '413.

This rejection is traversed at least for the following reasons.

Claim 6

Japan '413 arguably teaches a pneumatic radial tire for reduced uneven wear on shoulder ribs having main grooves 3 and narrow grooves 6B.

Nevertheless, Japan '413 fails to disclose, teach or suggest first and second groove walls that extend from the tread surface to the bottom of the exterior main groove, and incline outward in the tire width direction from the tread surface to the bottom of the exterior main groove.

In addition, the Office Action highlights configuration D of Japan '413. But within the claimed invention, none of the plurality of main grooves is between the exterior main groove and the shoulder.

Withdrawal of this rejection and allowance of the claims is respectfully requested.

Claims 7-8, 11-12 and 14-18

While not conceding the propriety of this rejection and in order to advance the prosecution of the above-identified application, claims 7-8, 11-12 and 14-18 have been canceled without prejudice or disclaimer of their underlying subject matter rendering the rejection moot as to these claims.

Claim 9 is rejected under 35 U.S.C. §103 as allegedly being obvious over Japan '413 in view of the admitted prior art.

This rejection is traversed at least for the following reasons.

While not conceding the propriety of this rejection and in order to advance the prosecution of the above-identified application, claim 9 has been canceled without prejudice or disclaimer of their underlying subject matter rendering the rejection moot as to this claim.

Claims 10 and 13 are rejected under 35 U.S.C. §103 as allegedly being obvious over Japan '413 in view of Kukimoto.

This rejection is traversed at least for the following reasons.

Claim 10

Japan '413 arguably teaches a pneumatic radial tire for reduced uneven wear on shoulder ribs having main grooves 3 and narrow grooves 6B.

However, Japan '413 fails to disclose, teach or suggest main grooves 3 and narrow grooves 6B as being straight grooves.

In addition, Nevertheless, Japan '413 fails to disclose, teach or suggest first and second groove walls that extend from the tread surface to the bottom of the at least one exterior main groove, and incline outward in the tire width direction from the tread surface toward the bottom of the at least one exterior main groove. In this regard, Japan '413 fails to depict a second groove wall that inclines outward in the tire width direction from the tread surface toward the bottom of the exterior main groove, wherein a space between the thin rib and the first groove wall is larger than a space between the thin rib and the second groove wall.

In comparison with figures 1 and 2 of Japan '413, figures 18a and 18b of Kukimoto arguably show a middle depressed type of stepped zone wherein the stepped zone 3 is disposed in a main groove 1, wherein the stepped zone 3 is separated from the adjacent lands 2 by narrow cuts 4' and the stepped zone 3 has a narrow groove 9 in the middle thereof which has the same depth as the narrow cuts 4' (Kukimoto at column 7, line 65 to column 8, line 4).

Nevertheless, figures 18a and 18b fail to show the first and second groove walls extending from the tread surface to the bottom of the exterior main groove, and inclined outward in the tire width direction from the tread surface toward the bottom of the exterior main groove.

Thus, Japan '413 and Kukimoto, either individually or in combination, fail to disclose, teach or suggest the first and second groove walls extending from the tread surface to the bottom of the at least one exterior main groove, and inclined outward in the tire width direction from the tread surface toward the bottom of the at least one exterior main groove.

Withdrawal of this rejection and allowance of the claims is respectfully requested.

Claim 13

Japan '413 arguably teaches a pneumatic radial tire for reduced uneven wear on shoulder ribs having main grooves 3 and narrow grooves 6B.

However, Japan '413 fails to disclose, teach or suggest a height of the thin rib being made lower than said tread surface.

In addition, Nevertheless, Japan '413 fails to disclose, teach or suggest first and second groove walls that extend from the tread surface to the bottom of the at least one exterior main groove, and incline outward in the tire width direction from the tread surface toward the bottom of the at least one exterior main groove. In this regard, Japan '413 fails to depict a second groove wall that inclines outward in the tire width direction from the tread surface toward the bottom of the exterior main groove, wherein a space between the thin rib and the first groove wall is larger than a space between the thin rib and the second groove wall.

Figures 19a, 19b, 20a and 20b of Kukimoto arguably show a one side depressed type of stepped zone wherein the stepped zone 3 is disposed in a main groove I and separated from adjacent lands by a narrow cut 4' and a narrow groove 10, respectively, with the narrow grooves 10 located on one side thereof (column 8, lines 3-8).

Nevertheless, figures 19a, 19b, 20a and 20b fail to show the first and second groove walls extending from the tread surface to the bottom of the exterior main groove, and inclined outward in the tire width direction from the tread surface toward the bottom of the exterior main groove.

Thus, Japan '413 and Kukimoto, either individually or in combination, fail to disclose, teach or suggest the first and second groove walls extending from the tread surface to the bottom of the at least one exterior main groove, and inclined outward in the tire width direction from the tread surface toward the bottom of the at least one exterior main groove.

Withdrawal of this rejection and allowance of the claims is respectfully requested.

Claims 1, 3-11 and 13-18 are rejected under 35 U.S.C. §103 as allegedly being obvious the admitted prior art in view of Kukimoto and U.S. Patent No. 5,345,988 to Kabe et al. (Kabe) and optionally Montagne (U.S. Patent No. 3,763,911).

This rejection is traversed at least for the following reasons.

Claims 1, 3-5, 7-9, 11 and 14-18

While not conceding the propriety of this rejection and in order to advance the prosecution of the above-identified application, claims 1, 3-5, 7-9, 11 and 14-18 have been canceled without prejudice or disclaimer of their underlying subject matter rendering the rejection moot as to these claims.

Claims 6, 10 and 13

Figures 19a, 19b, 20a and 20b of Kukimoto arguably show a one side depressed type of stepped zone wherein the stepped zone 3 is disposed in a main groove I and separated from adjacent lands by a narrow cut 4' and a narrow groove 10, respectively, with the narrow grooves 10 located on one side thereof (column 8, lines 3-8).

Nevertheless, Kukimoto fails to show the first and second groove walls extending from the tread surface to the bottom of the exterior main groove, and inclined outward in the tire width direction from the tread surface toward the bottom of the exterior main groove. In this regard, Kukimoto fails to clearly show the first and second groove walls being inclined in the same direction as those of the claimed invention.

Figure 2 of Kabe arguably teaches a groove wall near a shoulder 3 and a groove wall near the center being inclined in the same direction. Kabe arguably depicts the groove wall near the shoulder 3 being inclined inward in a tire width direction from the tread surface toward a groove bottom, and the groove wall near the center being inclined inward in the tire width direction from the tread surface toward the groove bottom. In this regard, Kabe fails to clearly show the groove walls being inclined opposite to those of the claimed invention.

Figure 1 of Montagne arguably teaches shoulders 14, 15 and grooves 18, 19 adjacent the shoulders 14, 15. However, Montagne fails both the first and second groove walls extending from the tread surface to the bottom of the exterior main groove, and inclined outward in the tire width direction from the tread surface toward the bottom of the exterior main groove.

In addition, Montagne fails to clearly show grooves 18, 19 as including a narrow groove portion.

The admitted prior art fails to provide for the features deficient from within Kukimoto, Kabe and Montagne.

Withdrawal of this rejection and allowance of the claims is respectfully requested.

Conclusion

For the foregoing reasons, all the claims now pending in the present application are allowable, and the present application is in condition for allowance. Accordingly, favorable reexamination and reconsideration of the application in light of the amendments and remarks is courteously solicited.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone Brian K. Dutton, Reg. No. 47,255, at 202-955-8753.

If any fee is required or any overpayment made, the Commissioner is hereby authorized to charge the fee or credit the overpayment to Deposit Account # 18-0013.

Dated: October 29, 2004

Respectfully submitted,

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